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Technology Center 2100

Application of

Applicant : McCown et al.  
Serial No. : 09/057,313  
Filed : April 8, 1998  
Title : CONTAINER TRANSPORTATION SYSTEM AND METHOD  
Docket : 033449-002  
Examiner : McAllister  
Art Unit : 3652

Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

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AMENDMENT

In response to the Office action mailed February 22, 2002, please amend this application  
as follows:

IN THE CLAIMS:

Rewrite claims 36 and 40 such that they read as follows:

Serial No.: 09/057,313  
Attorney Docket No.: 033449-002  
Amendment

36. (Amended) The method of claim 16 wherein said lifting and transporting step includes gripping each container with said gripping portion, and wherein said positioning step includes, for selected ones of said containers, raising and lowering, rotating, and inclining said gripping portion and said selected ones of said gripped containers relative to said body portion.

40. (Amended) The method of claim 16 wherein said marine vessel includes a rail extending along a deck of said ship, and wherein the method further comprising the steps of, before said lifting and transporting step, providing a ramp having a downwardly extending lip and coupling said ramp to said marine vessel such that said lip is located adjacent to and inwardly of said rail and such that said ramp extends between said vessel and a loading dock.

#### **Remarks**

Claims 36 and 40 have been amended. Marked-up copies of the amended claims, identifying the changes thereto, accompanies this Amendment. Review and reconsideration of the application is respectfully requested.

Claim 36 is rejected as containing subject matter which was not described in the specification. In particular, the Office action takes the position that the raising, lowering, rotating and inclining motions for each container are not disclosed in the specification. Accordingly, claim 36 has been amended to clarify that the raising, lowering, rotating and inclining motions are carried out for selected ones of the containers.

Claim 40 has been amended to change the term "rail with a downwardly depending lip" to "ramp with a downwardly extending lip" as requested in the Office action.

Claims 16-19, 21, 22 and 22-40 are rejected as allegedly defining obvious subject matter over U.S. Pat. No. 4,325,667 to Freeman in light of U.S. Pat. No. 3,691,595 to Backteman et al and U.S. Pat. No. 4,201,511 to Charles. This rejection is traversed for the reasons discussed below.

As noted in the Office action, the Freeman reference discloses lifting strapped pallets and transporting the strapped pallets onto a ship via a forklift. The Office action notes that the



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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/057,313	
	Filing Date	April 8, 1998	
	First Named Inventor	McCown et al.	
	Group Art Unit	3652	
	Examiner Name	McAllister	
Total Number of Pages in This Submission	10	Attorney Docket Number	033449-002

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Firm or Individual name	Thompson Hine LLP 2000 Courthouse Plaza NE, 10 West Second Street Dayton, Ohio 45402-1758
Signature	<i>Steven J. Elleman</i>
Date	4/22/02

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